

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

CHRISTOPHER SCOTT EMMETT,)
)
Plaintiff,)
v.) Case No. 3:07CV227-HEH
)
GENE M. JOHNSON, *et al.*,)
)
Defendants.)

ORDER

THIS MATTER is before the Court on a pre-trial conference held on June 26, 2007. Counsel for Plaintiff and Defendants were present for the purposes of this conference. Upon agreement by all parties in this case, the discovery and trial schedule will proceed as follows:

1. Discovery is limited to events in the preceding five (5) years and Plaintiff may only depose individuals within the Department of Corrections who could potentially be employed in carrying out this particular execution. Furthermore, the scope of discovery is limited to new material and areas related to Virginia's lethal injection process not previously explored. The close of discovery is set for August 8, 2007.
2. Pursuant to Rule 56(f) of the Federal Rules of Civil Procedure, Plaintiff's Responsive brief to Defendants' June 22, 2007 Motion for Summary Judgment will be due on August 20, 2007. Defendants' Reply brief is due on August 27, 2007.
3. The trial is scheduled for one day on September 26, 2007 at 9:00 a.m.

It is SO ORDERED.

The Clerk is directed to send a copy of this Order to all counsel of record.

/s/_____

Henry E. Hudson
United States District Judge

Date: June 26, 2007

Richmond, VA